

Serial No.: 10/806,687
Examiner: Robert B. Harrell

REMARKS

Claims 1, 3-8, 10-13, 15-17 and 19-20 are now pending in this application; Claims 2, 9, 14 and 18 have been canceled; Claims 1, 4-6, 8, 10-12, 15-17 and 19-20 and have been amended. Claims 1, 6, 8, 12, and 17 are independent.

Independent Claim 1 has been amended to include the limitations of now canceled dependent Claim 2, and even further to clarify that the content rating from the user provides an indication of the user's rating of the file.

Independent Claims 8 and 12 have each been amended to include the limitations of now canceled dependent Claims 9 and 14, respectively, and has been even further amended to clarify that each of the plurality of users can select one or more information elements within the personal information, *that has previously been stored in the third party server*, that can be sent along with the alias.

Independent Claim 17 has been amended to include the limitations of now canceled dependent Claim 18, and has been even further amended to clarify that, each of the at least two users can create one or more aliases, enter personal identity information associated with each of the one or more aliases *into said user interface* and selectively control whether one or more information elements *within the personal identity information for each of the one or more aliases* is transmitted along with the alias.

The undersigned appreciates the Examiner's finding of allowability regarding Claim 6. While Applicant believes that the claims as filed are patentable over the art of record, in order to advance the application, Claim 6 has been rewritten in independent form, and is therefore in condition for allowance.

The title of the invention has been amended to be more descriptive as required.

Rejection under 35 U.S.C. 112, second paragraph

Claim 6 was rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The amendment to claim 6 made herein obviates this rejection. Withdrawal of the Section 112 rejection is requested.

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Rejection under 35 U.S.C. 102(b)

Claims 1-5, and 7-20 were rejected under 35 U.S.C. 102(b) as being anticipated by Hauser (US Patent 6,061,789). In view of the following comments, Applicant respectfully traverses this rejection and requests reconsideration.

Independent Claim 1 is directed to a method for interacting with a user over a peer-to-peer network, including receiving a file from a user via a third party, receiving with the file an alias identifying the user and a content rating from the user, the content rating providing an indication of the user's rating of the file, storing in the third party identity information about the user in association with the alias, and linking the alias to a valid legal identity and financial account while maintaining control and privacy over the valid legal identity and the financial account.

Applicant respectfully submits that Hauser fails to teach or suggest these elements. With regard to the now recited step of *receiving a file including a content rating from the user, the content rating providing an indication of the user's rating of the file*, the Action states (para. 11) that:

“a customer not accepting a merchant is equivalent to a negative rating in Hauser's financial and/or marketing transaction system. Since books were/is commodities sellable via the Internet...such eBook would have been a file transmittable to the customer, also included with items to be bought on the Internet were songs, movies...which could be purchased on line and sent to paying and requesting customer”.

Applicant submits that the clarifications made herein define over Hauser, in that Hauser does not teach or suggest that a method of interacting with a user in a peer-to-peer environment, including receiving a file from a user via a third party, and receiving with the file, an alias identifying the user and a content rating from the user, the content rating providing an indication of the user's rating of the file -- rather in Hauser, a ‘consumer not accepting a merchant’ does not teach or suggest this recited step in amended independent Claim 1.

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Independent Claim 8 (and Claim 12) has been amended to include the limitations of Claim 9, and to recite that each of the plurality of users can select one or more information elements within the personal information, *that has previously been stored in the third party server*, that can be sent along with the alias.

Independent Claim 17 has been similarly amended to clarify that each of the users can create aliases and enter personal identity information associated with each of the aliases *into the user interface and selectively control whether one or more information elements within the personal identity information entered for each of the one or more aliases* is transmitted along with the alias.

The Action (in para. 10, with regard to dependent Claims 9 and 10), recites that:

“nothing in the teachings of Hauser prevents a sender from including, within the body of the email open plain text file, personal information per col. 3 (lines 36-39) such as delivery dates (a purchasing preference) (e.g., see col. 6 (line 27)) and thus delivery mailing address location was/is anticipated by Hauser”.

Applicant respectfully submits that even if Hauser (as alleged in the Action) does not “prevent a sender from including personal information within the body of an email”, Hauser does not teach or suggest a method or apparatus in which each user can select one or more information elements within personal information *that has previously been stored* in a third party server, that can be sent along with an alias.

Reconsideration and withdrawal of the rejections under 35 U.S.C. 102(b) are respectfully requested.

CONCLUSION

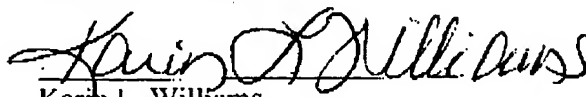
In view of the above, Applicant submits that all pending claims are in condition for allowance. If the Examiner believes there are still unresolved issues, a telephone call to the undersigned would be welcomed.

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FEES

All fees due and owing in respect to this Amendment may be charged to deposit account number 50-1047.

Respectfully submitted,



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